

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA,

v.

Case No. 8:21-cr-13-TPB-AEP

DAVID ALAN QUARLES,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the report and recommendation of Anthony E. Porcelli, United States Magistrate Judge, entered on May 19, 2023. (Doc. 162). Judge Porcelli recommends that the “United States Motion for Restitution” (Doc. 147) be granted in part and denied in part. Specifically, Judge Porcelli recommends that only mandatory restitution be ordered for Victim 1 in the amount of \$598,010.40; Victim 3 in the amount of \$217,737.12; and Victim 4 in the amount of \$15,333.60, for a total restitution amount of \$831,081.12, and that the motion otherwise be denied. No party has filed an objection, and the time to object has expired.

Under the Federal Magistrates Act, Congress vests Article III judges with the power to “designate a magistrate judge to hear and determine any pretrial matter pending before the court,” subject to various exceptions. 28 U.S.C. § 636(b)(1)(A). The Act further vests magistrate judges with authority to submit proposed findings of fact and recommendations for disposition by an Article III judge. 28 U.S.C. § 636(b)(1)(B). After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982).

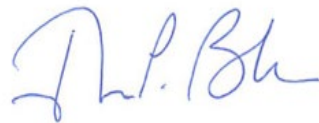
After careful consideration of the record, the Court adopts the report and recommendation. Judge Porcelli's well-reasoned report and recommendation thoughtfully addresses the issues, and his findings and conclusions are factually and legally sound.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- (1) Judge Porcelli's report and recommendation (Doc. 162) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) The "United States Motion for Restitution" (Doc. 147) is **GRANTED** to the extent that mandatory restitution is ordered for Victim 1 in the amount of \$598,010.40; Victim 3 in the amount of \$217,737.12; and Victim 4 in the amount of \$15,333.60, for a total restitution amount of \$831,081.12.
- (3) The motion is otherwise **DENIED**.
- (4) The Clerk is directed to prepare an amended judgment and sentence reflecting the award of restitution.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 12th day of June, 2022.



TOM BARBER
UNITED STATES DISTRICT JUDGE